

**STATEMENT OF
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BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
JULY 19, 2006**

Mr. Chairman and Members of the Subcommittee:

Thank you for the opportunity to provide comments concerning the operations and issues surrounding the role of National, State, and County Veterans Service Officers in claims development. As Governor Bush's Executive Director for the Florida Department of Veterans' Affairs (FDVA), I meet with leaders of major state Veterans Service Organizations, including Florida's County Veterans Service Officer Association monthly, and my department is advised by a Veterans' Commission of Governor's appointees from all regions of our state that meet on a quarterly basis.

Florida has almost 1.8 million veterans. FDVA is a state veterans' service agency created by the Florida Legislature following a successful citizen's constitutional initiative to authorize this department in state government. We provide information, advocacy and quality long term healthcare services to our veterans. We maintain strong positive working relationships with both the Veterans Health Administration (VHA) and the Veterans Benefits Administration (VBA) leadership in Florida. FDVA employs 587 employees.

FDVA continues to expand veterans' facilities and services in Florida, primarily through the growth in the State Veterans Homes program and through new outreach programs to contact more of the veteran population in Florida. As a result of strong advocacy on behalf of veterans and dependents, their economic and health status is improved through the acquisition of all the benefits earned through military service to our nation. We are an arm of state government which has statutory responsibilities concerning state veterans benefits and citizen services, as well as service delivery responsibilities representing veterans in their dealings with the claims process in VBA.

Department Organization

FDVA is organized into three division level functional services.

- Veterans' Benefits and Assistance Division
- State Veterans' Homes Program
- Executive Direction and Support Services Division

Veterans' Benefits and Assistance Division. Veterans' Benefits and Assistance provides assistance to Florida's veterans and their dependents in preparing claims for disability

compensation, pension, hospitalization, education and vocational training, and other federal and state benefits or privileges to which veterans are or may become entitled. This Division's mission is accomplished through the activities of three bureaus:

- Bureau of Claims Services
- Bureau of Veterans' Field Services
- Bureau of State Approving Agency

During fiscal year 2006, these bureaus, comprised of 70 employees, initiated 18,000 claims and generated \$74,582,526 in Retroactive Compensation Benefits, \$254,606 in Veterans' Debt Relief, and \$28,362,983 in Cost Avoidance through Issue Resolution to Florida's veterans.

The Benefits and Assistance Division has representatives on the Florida Veterans' Homeless Council, the Florida Interagency Committee on Women's Health, and the National Association of State Women Veterans' Coordinators.

Bureau of Claims Services. The Bureau of Claims Services provides counseling services and assistance to veterans, their dependents, and survivors with the preparation, submission and prosecution of claims and appeals for state and federal entitlements, as well as applications to correct military records. The Bureau of Claims Services is collocated with the U.S. Department of Veterans Affairs (VA) Regional Office on the Bay Pines Medical Center campus in Pinellas County, Florida. The Bureau's primary responsibility is to work directly with the decision authorities at the VA Regional Office to expedite veterans' claims and to influence, through proactive advocacy, the most positive outcome. Veterans' Claims Examiners (VCEs) also provide a quality control function by reviewing completed benefits rating decisions, and they provide assistance in the prosecution of veterans' disagreements with VA rating decisions. VCEs also represent veterans at hearings before Decisional Review Officers and the Board of Veterans' Appeals Travel Board.

Bureau of Field Services. The Bureau of Field Services provides counseling and benefits assistance to all inpatients and outpatients at six VA Medical Centers, nine VA Outpatient Clinics in Florida, and our six State Veterans' Homes. This bureau also conducts outreach activities for FDVA throughout the state to include supporting Department of Defense (DOD) Transitional Assistance Program (TAP) at military installations. The program's primary responsibility is to help veterans initiate, develop, submit, and prosecute claims and appeals for federal veterans' entitlements. The focus of Field Services is face-to-face interaction with the veteran/dependent/survivor and determining, verifying or obtaining eligibility for treatment, medications and other monetary resources within the VA system earned through military service.

Bureau of State Approving Agency for Veterans Training (SAA). The Bureau of State Approving Agency for Veterans Training operates under contract between FDVA and the VA. They provide school and program approval services to Florida educational institutions and monitor educational institutions to ensure continued compliance with federal and state regulatory requirements. This activity is regulatory and entirely funded by the VA.

FDVA Concerns. The major issues confronting FDVA, and other state veterans' departments as well, when dealing with VBA processes include:

- Timely access to VA information on returning severely injured veterans and the families of the fallen.
- Timely access to case files of veterans seeking state assistance with federal issues.
- Long-term follow-up regarding state veterans' benefits for the handicapped and families of those lost in battle.
- Training and standardization of veterans' service officers at the state and county levels.
- S.1990/HR. 4264 regarding proposed funding of state and County VSO services in the VA budget, and opportunity and impact on state government.
- Outreach enhancement opportunities, especially to returning veterans with serious injuries.

VA Information on returning veterans who are severely wounded or on the families of those lost in action.

State governments across the nation all have developed programs to support returning veterans, especially those who have been severely injured, and the families of those lost in action. With the unprecedented use of National Guard and Reserve forces in the Global War on Terror, these state benefits programs substantially augment federal VA benefits. Current privacy restrictions prohibit state government from gaining timely access to information on returning veterans until after the VA has made initial casualty calls. We do have cooperative arrangements for these initial visits to include literature on state benefits, but federal VA officials are not experts in state benefits programs. There is an opportunity to vastly enhance services to families and veterans by partnering in such initial casualty calls. Currently that is not allowed until permission is received from the veteran or the family to open information to state governments.

Governor Bush has initiated a proposal to VA Secretary Nicholson which would fix this situation by simply having the veteran make an election in the initial processing into the VBA system which would authorize the VA to provide veteran data to their state agencies dealing with veterans' benefits and employment issues. (Tab 1.)

VA Veterans Information Access.

Currently, state government agencies are prohibited from accessing a veteran's claim folder if a power of attorney has not been completed by the veteran for the state agency. The power of attorney may reside with a Veterans Service Organization (VSO), but the complaint is to state government almost always requesting assistance and intervention with VA officials. Even though the individual is coming to the state for help, we are unable to provide assistance without access to the case file. Usually there is cooperation with the VSO holding the power of attorney, but there are situations where appropriate services cannot be rendered because of this restriction. There should be a provision that State Government agencies have the ability to access the VA records in these cases. The very act of resorting to a complaint to another government agency should implicitly authorize permission to review the case and associated files.

Long-term follow-up of severely wounded and families of those lost in action

Governor Bush has directed Florida's state veterans department and state employment agency to develop policies which augment and enhance existing VA long-term healthcare and benefits programs. State benefits for veterans and families exist for prolonged periods and periodic follow-up that ensures timely and pertinent support for the long-term are required to be implemented in policy. These policies will ensure that veterans, especially those with severe handicaps and families of those lost, are properly supported. It is vital that information and assistance are readily available and proactively provided at times that are relevant, such as age driven contact for state educational benefit information and regular follow-up for employment status and assistance.

Training Requirements and Standards

New FDVA VCEs are required to complete one year of formalized training in all aspects of veterans' claims processing and benefits delivery. The VCE must complete the training modules and successfully pass the subsequent examinations. A mentor is assigned to each trainee to monitor the training and provide daily work assignments and feedback on strengths and weaknesses. During the first year, the VCE attends the FDVA Veterans Service Officer Certification Training Course (one week); Training Responsibility Involvement in Preparation of Claims (TRIP) given by the VA to access related VA applications (four days); and FDVA training at the VA Medical Center with a Field Services Supervisor (five days) on medical/income eligibility issues, compensation and pension exams, and ward visits. Both state VCEs and CVSOs are tested for recertification annually.

VCEs must be knowledgeable of human physiology and medical terminology. They must be computer literate to accomplish a variety of on-line research tasks and to collect and enter veterans' claims information and documentation in the agency database. Legal terminology as it pertains to case law from the Board of Veterans' Appeals and Court of Veterans' Appeals must be interpreted and used in proceedings before the VA.

FDVA annually submits a copy of the state Veteran Service Officer Certification Training Course and examination as required by 38 C.F.R. 14.629(a)(ii) for review and approval to the VA Regional Counsel. All new Florida County Veteran Service Officers must attend this course and successfully pass the examination to receive their FDVA accreditation. In addition, per Florida Statute 292.11 County Veteran Service Officers must attend annual training and successfully complete a recertification test administered by the FDVA. The VA is an active participant in this training program. Even though the Florida Statute states the training must be provided annually, the FDVA conducts training semi-annually to ensure Florida veterans and dependents are represented by responsible and qualified service officers.

Additionally, FDVA provides training to American Legion post service officers semi-annually. Any changes that have occurred in VA medical and benefit programs are discussed and refresher training is provided.

Florida State VCEs and County Veteran Service Officers

The State VCEs and CVSOs are the "face" of the VA. They are the ones who are in the field to explain the actions and sometimes the inactions of the VA to the veterans and family members. There are 66 County Veteran Service Officers (CVSOs) and 111 Assistant CVSOs in the State of Florida. Each county funds their service officer and staff. CVSOs assist veterans and

dependents with developing, filing, and reviewing compensation and pension claims. Once the VA makes a decision, they explain VA decisions to the claimant and assist in the appellate process if an appeal is filed. They make outreach visits and are actively involved in stand downs for the homeless. For the last two years, Florida's VCEs have also participated at federal Disaster Recovery Centers following hurricanes assisting veterans with information concerning benefits and property issues.

Outreach Challenges and Opportunities/ HR. 4264/S. 1990

FDVA continues to look for innovative ways to identify Florida veterans unaware of federal and State veterans' benefits. Less than 10% of Florida veterans have applied for VA benefits. FDVA designed an easy to use self-service computer kiosk to offer Florida veterans and family members the opportunity to request follow-on contact concerning benefits, healthcare or employment information. Within 72 hours after a veteran requests information via the kiosk, the department will contact the veteran and assist as appropriate. The proposed deployment sites of Outreach Kiosks for Florida veterans cover a variety of locations where veterans and families may use them, such as local government service centers (libraries, tax offices), common areas on military bases, Florida National Guard Armories, and Reserve Centers. (Tab 2)

Annually, the Florida Veterans' Benefits Guide is published outlining the State of Florida veterans' benefits. The guide is distributed to VA facilities, County Veteran Service Officers, veterans' service organizations, and at outreach events. The Guide is available on the FDVA website, www.floridavets.org, in both English and Spanish, and is available to be mailed upon request. (Tab 3)

The Veterans Outreach Improvement Act of 2005 has the capability to significantly enhance state and county outreach programs by providing funding to expand services as described above. Florida strongly supports this superb initiative to provide limited financial assistance to the service officers discussed above which provide that vital face-to-face contact with veterans at the local level. The initiative in HR. 4264/S. 1990 could be slightly improved if it contained very limited authorization for administrative support for this new multimillion dollar outreach initiative.

Tracking System

FDVA's Veterans' Benefits On-Line Tracking System (V-BOLTS) is Florida's first centralized veterans' benefits tracking database with web access for Florida's growing veteran population. V-BOLTS was designed by FDVA as an automated tracking and processing tool for providing timely and accurate reports. We currently have 220,000 records in our database. The database tracks DD 214 entry and claims submitted to the VA and the outcome. We regularly cross match our State Nursing Homes population to ensure each resident's claim applied for all earned VA benefits.

State Government Interdepartmental Cooperation

In order to ensure that all departments of state government have a clear understanding of their respective roles, and to augment the ongoing and comprehensive efforts to ensure our National Guard veterans and their families are honored for their service and receive the benefits from VA and other agencies which they have earned. A Memorandum of Understanding (MOU) was developed and signed between the Florida National Guard, the VHA, the VBA, and the

Florida Agency for Workforce Innovation, the U.S. Department of Labor Veterans Employment and Training, and the FDVA. This MOU formalizes ongoing services and makes it much less likely that any veterans will be missed or not have multiple sources of support for benefits, medical, or employment needs in the future.

Thank you for the opportunity to be here today representing Governor Bush and Florida's almost 1.8 million veterans. This committee's continuing efforts to improve America's benefits and services to our veterans are sincerely appreciated